

REMARKS/DISCUSSION OF ISSUES

By this Amendment, Applicants amend claims 1-4, 7-11, 14, 17 and 20 to correct minor informalities. Accordingly, claims 1-20 are pending in the application.

Reexamination and reconsideration are respectfully requested in view of the following Remarks.

OBJECTIONS TO SPECIFICATION

The Office Action objects to the specification for mentioning a reference numeral that is not shown in the drawings.

Applicants hereby amend the specification to correct a minor typographical error on page 12, wherein reference numeral 534 was written, when 524 should have been written instead.

Accordingly, Applicants respectfully request that the objections to the specification be withdrawn.

OBJECTIONS TO CLAIMS

By this Amendment, Applicants amend claims 2, 4, 7, 9, 11, 14 and 20 to correct minor informalities. Applicants respectfully submit that these claim amendments address all of the grounds of objection raised by the Examiner.

Accordingly, Applicants respectfully request that the objections to the claims be withdrawn.

35 U.S.C. § 112

The Office Action rejects claims 1-14, 17-18 and 20 under 35 U.S.C. § 112 as being indefinite because of various antecedent basis issues and uncertainty in the original claim language.

By this Amendment, Applicants amend claims 1, 3, 8, 10, 17 and 20 to address these issues. Applicants respectfully submit that these claim amendments address all of the grounds of rejection under 35 U.S.C. § 112 raised by the Examiner.

Accordingly, Applicants respectfully request that the objections to the claims

be withdrawn.

35 U.S.C. § 103

The Office Action rejects: claims 1, 3-4, 8, 10-11, and 15-18 under 35 U.S.C. § 103 over Fuller, III et al. U.S. Patent 7,134,081 ("Fuller") in view of Robison et al. U.S. Patent Publication No. 2005/0060693 ("Robinson"); claims 2 and 9 under 35 U.S.C. § 103 over Fuller in view of Robison and further in view of Durian et al. U.S. Patent Publication No. 2002/0025832 ("Durian"); claims 5-7, 12-13 and 19 under 35 U.S.C. § 103 over Fuller in view of Robison and further in view of Hall et al. U.S. Patent 5,974,541 ("Hall"); and claim 20 under 35 U.S.C. § 103 over Fuller in view of Robison and further in view of Dobson et al. U.S. Patent 6,766,386 ("Dobson").¹

Applicants respectfully traverse those rejections for at least the following reasons.

Claim 1

Among other things, the method of claim 1 includes: (1) when a communication from a client is a SCPI protocol command, evaluating a .NET protocol command that was converted from the SCPI protocol command to determine the validity of parameters sent from the client with the SCPI protocol command; and (2) when the communication from the client is a SCPI protocol query, evaluating a .NET protocol query that was converted from the SCPI protocol query to determine the validity of parameters sent from the client with the SCPI protocol query.

Applicants respectfully submit that no combination of Fuller and Robison would ever produce a method including these features.

The Office Action fairly admits that Fuller does not disclose these features at all.

However, the Office Action states that Robison discloses these features at page 2, paragraph [0022].

Applicants respectfully disagree.

¹ Applicants note that the only ground of rejection for claim 14 that is explicitly stated in the Office Action is under 35 U.S.C. § 112. See M.P.E.P. §§ 706.01 and 706.02(j).

Robison is directed to software code for a computer which parses command strings entered by a user in a command-line interface (CLI) in an object-oriented (OO) computer environment.

Here is the text of Robison at page 2, paragraph [0022]:

[0022] Another embodiment of the present invention permits the command string to be syntactically matched by the command processor code portion and all parameter values within the command string to be converted to their corresponding data objects, which can then be further validated, before any action handler code is invoked to actually execute the task that corresponds to the command. In this way the code that executes the task that corresponds to the command needs to deal only with the data objects that were produced from successfully parsing the command string, providing a distinct separation of that code from the non-essential features associated with syntax specification of the command that invoked the task.

Simply put, the above-reproduced text (in the context of paragraphs [0018] – [0021] discloses that when a command string is parsed, parameters values within the command string are converted to data objects which are validated before the command corresponding to the parameter is executed. So, Robison discloses a method of converting character-strings into data objects. That is, Robison is concerned with converting a command for a computer system from one syntax to another.

Applicants respectfully submit that it is apparent that nothing in the above-reproduced text mentions or even suggests anything to do with any protocols – or converting commands or queries from a first protocol into a second protocol. Applicants respectfully submit that it is apparent that nothing in the above-reproduced text could be remotely construed in any way to suggest modifying Fuller to convert an SCPI protocol command to a .NET protocol command, and then evaluating the .NET

protocol command to determine the validity of parameters sent from a client with the SCPI protocol command. Similarly, the cited text could be remotely construed in any way to suggest modifying Fuller to convert an SCPI protocol query to a .NET protocol query, and then evaluating the .NET protocol query to determine the validity of parameters sent from the client with the SCPI protocol query.

Furthermore, Applicants respectfully traverse the proposed combination of Fuller and Robison. Although the Office Action cuts-and-pastes copious portions of text from Robison that explain why Robison created his character-string parser for converting CLI commands in an OO CLI interface for a computer into data objects, the Office Action fails to explain why any of this has any relevance at all for Fuller's instrument I/O assistant, or to articulate a rationale for somehow modifying Fuller's instrument I/O assistant to perform the claimed steps.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 1 is patentable over the cited art.

Claims 3-4

Claims 3-4 depend from claim 1 and are deemed patentable for at least the reasons set forth above with respect to claim 1. Applicants also specifically with respect to claim 3 that col. 14, lines 47-52 of Fuller has nothing at all to do with any SCPI protocol response messages comprising contents of nodes of a SCPI hierarchical tree structure.

Claim 8

Among other things, in the computer readable memory device of claim 8, the instructions include: (1) when a communication is a SCPI protocol command from a client, converting the SCPI protocol command to a .NET protocol command, and evaluating the .NET protocol command to determine the validity of parameters sent from the client with the SCPI protocol command; and (2) when the communication is a SCPI protocol query from the client, converting the SCPI protocol query to a .NET protocol query, and evaluating the .NET protocol query to determine the validity of parameters sent from the client with the SCPI protocol query.

For similar reasons to those set forth above with respect to claim 1, Applicants

respectfully traverse the proposed combination of Fuller and Robison and furthermore respectfully submit that, in any event, no combination of Fuller and Robison would ever produce a device including these features.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 1 is patentable over the cited art.

Claims 10-11

Claims 10-11 depend from claim 8 and are deemed patentable for at least the reasons set forth above with respect to claim 8. Applicants also specifically with respect to claim 3 that col. 14, lines 47-52 of Fuller has nothing at all to do with any SCPI protocol response messages comprising contents of nodes of a SCPI hierarchical tree structure.

Claim 15

Among other things, the system of claim 15 includes a parser module configured to receive a Standard Commands for Programmable Instrumentation (SCPI) protocol communication from a client and to translate the SCPI protocol communication into a .NET protocol communication.

The reasoning for rejection of claim 15 in the Office Action is unclear.

In the event that the Examiner intends to maintain this rejection in view of the following Remarks, **clarification is respectfully requested** so as to present a clear record for the Board of Patent Appeals in a subsequent appeal.

Is the Office Action asserting that Fuller actually discloses the actual parser module recited in claim 15? Or is the Office Action asserting that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Fuller to include the actual parser module recited in claim 15.

To the extent that the Office Action is asserting that Fuller actually discloses (explicitly, implicitly, or inherently) the actual parser module recited in claim 15, Applicants respectfully traverse such any such assertion. Fuller does not disclose any parser module that is configured to receive a Standard Commands for Programmable Instrumentation (SCPI) protocol communication from any client and to translate the SCPI protocol communication into a .NET protocol communication. Indeed, the

parser referenced in the Office Action is not configured to receive any communication from any client at all! Furthermore, the parser referenced in the Office Action Furthermore, the cited text makes no mention of the parser translating any SCPI protocol communication into a .NET protocol communication. Instead, it appears that Fuller's parser merely parses a HEX or ASCII text string into tokens under user control.

So Applicants submit that Fuller clearly does not actually disclose the actual parser module recited in claim 15.

Meanwhile, to the extent that the Office Action is asserting that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Fuller to include the actual parser module recited in claim 15 Applicants respectfully traverse such any such assertion. Applicants see not rationale for modifying Fuller to include a parser that is configured to receive a Standard Commands for Programmable Instrumentation (SCPI) protocol communication from any client and to translate the SCPI protocol communication into a .NET protocol communication. The Office Action does not articulate any rationale for modifying Fuller to include the recited parser. Indeed, given Fuller's purposes, there would seem to be no purpose for such a parser.

So Applicants submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Fuller to include the actual parser module recited in claim 15

Therefore Applicants respectfully submit that no combination of Fuller and Robison would ever produce the system of claim 15.

Also among other things, the system of claim 15 includes an evaluator module, configured to evaluate a .NET protocol communication received from a client to determine the validity of parameters sent from the client with the SCPI protocol communication.

Again, Applicants respectfully submit that the Office Action provides no rationale for modifying Fuller to evaluate a .NET protocol communication (converted from a SCPI protocol communication received from a client) to determine the validity

of parameters sent from the client with the SCPI protocol communication. Applicants respectfully submit that the supposed "reasons" for modifying Fuller that are stated in the Office Action frankly make no sense in the context of the instrument I/O assistant Fuller discloses. For example, the Office Action states that the parsing of claim 15 that results in the .NET protocol communication is the code generated by Fuller's instrument I/O assistant from an instrument's response. What possible reason would there be to evaluate this code to determine the validity of parameters sent from a client with a SCPI protocol communication (especially since Fuller's code was not generated by translating any SCPI protocol communication from a client in the first place!)? How could this even be done? Applicants respectfully submit that there is no rational for the proposed modification to Fuller.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 15 is patentable over the cited art.

Claims 16-18

Claims 16-18 depend from claim 15 and are deemed patentable for at least the reasons set forth above with respect to claim 15.

Claims 2, 5-7, 9, 12-14 and 19-20

Claims 2, 5-7, 9, 12-14 and 19-20 depend variously from claims 1, 8 and 15. Applicants respectfully submit that Durian, Hall, and Dobson do not remedy the shortcomings of Fuller and Robison as set forth above with respect to claims 1, 8 and 15.

Accordingly, Applicants respectfully submit that claims 2, 5-7, 9, 12-14 and 19-20 are patentable for at least the reasons set forth above with respect to claims 1, 8 and 15.

CONCLUSION

In view of the foregoing explanations, Applicants respectfully request that the Examiner reconsider and reexamine the present application, allow claims 1-20 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D.

Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

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